

Solid Waste Interpretive Guidance Statement (SWIGS)

revised :8/12/96

This guidance is intended to clarify some of the management standards for sharps as defined in 9 VAC 20-120-10.

This document is intended only for use by staff of the Department of Environmental Quality. It is not intended to be complete or legally exact. Staff are to use this document as a guide only. As a guidance document, it has not been promulgated under the Virginia Administrative Process Act, Section 9-6.14:1 et.seq., of the 1950 Code of Virginia, as amended. It creates no rights, procedural or substantive, and may be revised without notice to the public. In the event of any conflict between this guidance and any provision of the Waste Management Act or any regulation promulgated by the Waste Management Board, the statute or regulation shall govern.

DISPOSAL OF SHARPS

In accordance with the Virginia Regulated Medical Waste Management Regulations (9 VAC 20-120-150.4) sharps that are likely to be contaminated with organisms that are *Alikely to be* pathogenic to healthy humans and all sharps used in patient care or veterinary practice are regulated medical waste when disposed. This includes sharps generated at a household by a professional health care service while in that household. [An example of this would be a diabetic having insulin shots administered to him/her, in his/her home, by a physician. In this case, the sharp is being used in patient care and the professional health care service provider is the generator of the sharps and is responsible for their proper disposal].

In accordance with 9 VAC 20-120-130.C.2, sharps that are generated by Ahouseholds and are placed in an opaque container with a high degree of puncture resistance before being mixed with other waste or disposed, are not regulated medical waste. [An example of this would be a diabetic administering his/her own insulin shots. In this case, the Ahousehold is the generator of the sharps and is responsible for their proper disposal]. These sharps remain solid wastes subject to the Virginia Solid Waste Management Regulations (9 VAC 20-80). However, sharps that are generated by Ahouseholds and are likely to be contaminated with organisms that are *Alikely to be* pathogenic to healthy humans are regulated medical waste not subject to the exclusion under 9 VAC 20-120-130.C.2 and must be managed in compliance with all applicable standards.

All sharps that are a regulated medical waste (i.e., Aregulated sharps, not excluded as indicated above) must be packaged and labeled in accordance with 9 VAC 20-120-200 through 260. Specifically, those sharps are to be collected at the point of generation in highly puncture resistant containers and those containers closed and placed inside a red plastic bag and immediately labeled in accordance with 9 VAC 20-120-220.4.7 prior to their storage. Prior to transport, regulated sharps packaged in the container and red bag described above must also be placed in another red bag (double bagging) or in a box. The external bag or box must be appropriately labeled. If the regulated sharps are generated by a health care professional* or microbiological laboratory manager* in their own office, in the private home of a patient, or in a limited small clinic, and are not held for more than 7 days after generation, then there is no closure requirement, no requirements for a spill containment and clean-up kit or containment and clean-up procedures, no record keeping requirement, nor special requirements for transportation other than transport by mail or using reusable carts or containers.

In addition to the packaging and labeling requirements above, regulated sharps are to be treated in accordance with 9 VAC 20-120-520 through 660 (i.e., incineration, steam sterilization, alternative technology). Note that although there are no record keeping requirements for health care professionals or microbiological laboratory managers described above, the generator is to provide treatment/disposal facility with a signed certificate or signed and effective contract indicating that each load received or to be received by the treatment/disposal facility does not contain hazardous waste or radioactive materials**. If any of the conditions above are not met, then the sharps must be managed in accordance with all standards pertaining to the management of regulated medical waste.

*(Note: A health care professional is a person practicing under a license issued by the Department of Health

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Professions. A microbiological laboratory manager is not defined in these regulations. The intended meaning of this term is a person licensed or employed in Virginia in this capacity).

******(Note: No regulated medical waste containing radioactive materials shall be treated unless its management and treatment are in full compliance with regulations promulgated by the Nuclear Regulatory Commission and the Virginia Department of Health and are deemed by both regulations not to represent a threat to human health and the environment.

In cases where sharps have been stored or discarded and the generator cannot be determined, (for example: unlabelled hypodermic needles found on the ground in a vacant lot), or cases where the sharps are from a household but were not properly packaged before being mixed with other waste or disposed, a determination of whether the sharps are a regulated medical waste or not must be made to determine the appropriate waste management steps. (In cases like the example above, unless there is a hospital, doctors office, or health care provider nearby, it may be reasonable to assume that the sharps were generated by a household; however, since the sharps were not placed in an opaque container with a high degree of puncture resistance before being mixed with other waste or disposed, they are still not subject to the exclusion from definition as a regulated medical waste under 9 VAC 20-120-130.C.2 and may be regulated under 9 VAC 20-120-150.4). The major factor in determining whether sharps of this nature are considered regulated medical waste is the determination of whether the sharp is likely to be contaminated with organisms that are *Alikely to be* pathogenic to healthy humans (i.e., likely to be contaminated with HIV, hepatitis, tuberculosis, brucellosis, etc.). A qualified health care professional should make this determination.

If the health care professional determines that the sharps are **not** a regulated medical waste they may then be placed in an opaque container with a high degree of puncture resistance and disposed with other household waste.

If the health care professional determines that the sharps **are** a regulated medical waste then the sharps and any material associated with the sharps must be managed in accordance with all standards pertaining to the management of regulated medical waste. In accordance with 9 VAC 20-120-150.6 & 7, any solid waste that is contaminated or mixed with regulated medical waste is a regulated medical waste and any residue or contaminated soil, water, or other debris resulting from the clean-up or a spill of regulated medical waste is also a regulated medical waste.